

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**STATE OF OKLAHOMA, ex rel. JOHN  
DOAK, INSURANCE COMMISSIONER, AS  
RECEIVER FOR IMPERIAL CASUALTY  
AND INDEMNITY COMPANY,**

**Plaintiff,**

**v.**

**Case No. CIV-11-863-C**

**PATRICK MONTGOMERY, EMPLOYMENT  
TRADITIONS, INC.; PEOPLE ESSENTIALS,  
INC.; E.T. 2, INC.; E.T. 4, INC.; E.T. 6, INC.;  
E.T. 10, INC.; CFC I/ET, INC.; CFC II/ET,  
INC.; MONTGOMERY, INC.; ACRISURE  
BUSINESS OUTSOURCING SERVICES, LLC;  
ACRISURE, LLC; AND CAMPBELL  
MANAGEMENT GROUP, INC.,**

**Defendants.**

**DEFENDANTS PATRICK MONTGOMERY; EMPLOYMENT  
TRADITIONS, INC.; PEOPLE ESSENTIALS, INC.; E.T. 2, INC.; E.T. 4, INC.;  
E.T. 6, INC.; E.T. 10, INC.; CFC I/ET, INC.; CFC II/ET, INC.;  
AND MONTGOMERY, INC.'S PROPOSED VOIR DIRE QUESTIONS**

Pursuant to the Scheduling Order entered by this Court, Defendants Patrick Montgomery; Employment Traditions, Inc.; People Essentials, Inc.; E.T. 2, Inc.; E.T. 4, Inc.; E.T. 6, Inc.; E.T. 10, Inc.; CFC I/ET, Inc.; CFC II/ET, Inc.; and Montgomery, Inc. ("ETI") respectfully submit the following proposed questions for voir dire which ETI requests that the Court pose to the members of the jury panel in this case:

1. The Plaintiff in this case is State of Oklahoma, ex rel. John Doak, Insurance Commissioner, as Receiver for Imperial Casualty and Indemnity Company.

(a) Does anyone on the panel know of Imperial Casualty and Indemnity Company? If so, what is your knowledge of this company?

2. The Defendants in this case are Patrick Montgomery; Employment Traditions, Inc.; People Essentials, Inc.; E.T. 2, Inc.; E.T. 4, Inc.; E.T. 6, Inc.; E.T. 10, Inc.; CFC I/ET, Inc.; CFC II/ET, Inc.; Montgomery, Inc.; Acrisure Business Outsourcing Services, LLC; ACRISURE, LLC; and Campbell Management Group, Inc.

(a) Does anyone on the panel know Patrick Montgomery or any of the companies which were listed? If so, what is the extent of your knowledge?

3. The attorneys representing the Plaintiff are Gregory P. Reilly and Keith A. Wilkes of the law firm Newton O'Connor. The attorneys representing Patrick Montgomery and ETI are Rachel Mathis and Conor Cleary of the law firm Hall, Estill, Hardwick, Gable, Golden and Nelson. P.C. The attorneys representing Acrisure Business Outsourcing Services, LLC, Acrisure, LLC and Campbell Management Group, Inc. are Amy D. White, Henry D. Hoss and Zachary A.P. Oubre of the law firm McAfee & Taft; and John M. Bylsma of the firm Varnum, LLP. Do you know any of these lawyers or anyone who works at either of their law firms? If so, please state how you know either of the lawyers or any person who works at their law firms?

4. The following individuals may testify as witnesses in this case: (list witnesses)

The parties are not required and may not wish to call all of these witnesses.

(a) Does anyone on the panel know any of these potential witnesses? If so, how?

5. Does anyone on the panel have any belief or feeling toward any of the parties, attorneys, or witnesses that might be regarded as a bias or prejudice for or against any of them?

6. Has anyone on the panel served as a juror or witness in a case involving any of these parties or witnesses?

7. Has anyone on the panel worked in the insurance industry or had a family member who has worked in the insurance industry? If so, identify the person and the nature of his/her employment.

8. Has anyone on the panel ever had any education or training in administering workers compensation insurance? If so, describe the type and extent of your training or education.

9. Has anyone on the panel ever been employed in or been related to anyone who has filed a workers' compensation claim? If so, did you or they have any problems in receiving payment? Describe your experience.

10. Does anyone on the panel have any interest, financial or otherwise, in the outcome of this case?

11. Has anyone on the panel served as a juror before? If so, was it civil or criminal? Please describe the case. Did you reach a verdict? What was the verdict? Did you agree with the verdict? If not, why not?

12. You must understand that there is a basic difference between a civil case and a criminal case. In a criminal case, a defendant must be found guilty beyond a reasonable doubt. In a civil case such as this, the standard is a preponderance of the evidence, which means that the plaintiff must only prove that the greater weight of the evidence is in favor of his case. Does everyone understand that this is a civil case and that the standard of proof is different than in a criminal case?

13. Are any of you, any member of your family, or any person close to you, presently involved in a lawsuit of any kind? If so, please describe the nature of the lawsuit and the parties involved.

14. Have any of you, any member of your family, or any person close to you, been involved in a lawsuit of any kind before? If so, please describe the nature of the lawsuit, the parties involved and the status or outcome.

15. Will you follow the Court's instructions on the law governing this case, even though you might have a differing personal view as to what the law should be?

16. Do you have any type of personal issues, problems or other pressing matters of concern that would make it difficult for you to concentrate on and give your full and undivided attention to the issues in this case throughout this trial?

17. Do you know of any reason whatsoever why you would prefer not to serve as a juror in this case? If so, what is the reason?

18. Do you know of any other reason or has anything occurred during this questioning that makes you doubtful that you would be a completely fair and impartial juror in this case? If so, it is your duty to disclose the reason at this time.

20. In what types of civic or professional organizations are you a member?

21. Are any of you small business owners? If so, how is your business set up?

22. What is your understanding of the reason for setting up a business as a corporation? What are your thoughts about these reasons?

23. Have you ever had to purchase workers compensation insurance? If so, describe your experience.

24. What are your expectations of your insurance company?

25. Have any of you ever had a dispute with your insurance company as to the amount of money you owe? If so, describe the experience and the outcome.

26. If you indicated you are a small business owner, how important is it for you to promptly be notified of amounts a creditor claims you owe? Why is it important?

27. Have you ever been employed by the government? If so, what is or was your position?

28. Have you or a close family member ever had to file for bankruptcy?

29. Have you ever been a creditor of someone who has filed for bankruptcy? If so, describe your experience.

30. Have you ever been affected by an insurance company going into receivership? If so, in what way?

31. What is your understanding of the reason for an insurance company being placed in receivership?

32. Do you know what a professional employment organization is? If so, what is your understanding of what it does?

33. Have any of you ever owned, operated, worked for or used the services of a professional employment organization? If so, what was your relationship with the PEO?

Respectfully submitted,

**HALL, ESTILL, HARDWICK, GABLE,  
GOLDEN & NELSON, P.C.**

By:

s/ Rachel C. Mathis

Rachel C. Mathis, OBA #16360  
Conor Cleary, OBA #30046  
320 South Boston Avenue, Suite 200  
Tulsa, OK 74103-3706  
Telephone (918) 594-0400  
Facsimile (918) 594-0505

**ATTORNEYS FOR DEFENDANTS,  
PATRICK MONTGOMERY,  
EMPLOYMENT TRADITIONS, INC.;  
PEOPLE ESSENTIALS, INC.; E.T. 2, INC.;  
E.T. 4, INC.; E.T. 6, INC.; E.T. 10, INC.;  
CFC I/ET, INC.; CFC II/ET, INC.;  
MONTGOMERY, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24th day of April, 2012, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of Notice of Electronic Filing to the Following ECF registrants:

Gregory P. Reilly  
Keith A. Wilkes  
**Newton O'Connor Turner & Ketchum**  
15 W 6th St, Suite 2700  
Tulsa, OK 74119-5421

Jon M. Bylsma  
**Varnum, LLP**  
333 Bridge Street, N.W.  
Grand Rapids, MI 49504

Amy White  
Henry Hoss  
Zachary A.P. Oubre  
**McAfee & Taft**  
211 N Robinson Ave, 10th Fl  
Oklahoma City, OK 73102

s/ Rachel C. Mathis

Rachel C. Mathis